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FM AMEMBASSY GUATEMALA  
TO RUEHC/SECSTATE WASHDC PRIORITY 6346  
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE

UNCLAS GUATEMALA 001351

SIPDIS  
SENSITIVE

DEPT FOR WHA/FO GIOVANNI SNIDLE AND ISN  
STATE PLEASE PASS TO ATF

E.O. 12958: N/A  
TAGS: [ARM](#) [MASS](#) [ETTC](#) [PE](#) [PREL](#) [XK](#) [GT](#)  
SUBJECT: GUATEMALA'S RESPONSE TO E-TRACE AGREEMENT

REF: STATE 106251

¶1. (SBU) Summary: Per reftel and in coordination with ATF-Mexico, PolMil Officer held meetings with Colonel David Napoleon Barrientos, the Director of Guatemala's Arms and Munitions Control Department (DECAM), and members of the Ministry of Foreign Affairs (MFA) to gauge support for Guatemala's participation in ATF's eTrace system and the possibility of Guatemala's signing the reftel Memorandum of Understanding (MOU) at the December 12, 2008 U.S.-SICA Dialogue on Security Meeting. Barrientos fully supports Guatemala's participation in eTrace. MFA representatives support signing the MOU in principle, but could not guarantee that the legal departments of the MFA and MOD would be able to analyze and approve the text of the MOU in time for the December 12 signing ceremony. Post will continue to engaged on this issue and will report on MOU negotiations Septel.

DECAM ON BOARD  
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¶2. (SBU) Thanks to a prior visit by members of ATF-Mexico, Barrientos was well versed on the eTrace system, fully supported Guatemala's participation, and stated that he had previously forwarded a copy of the MOU to both Ministry of Defense (MOD) and MFA lawyers for consideration. He stated that if DECAM is able to gain access to eTrace he plans to implement a policy to enter information on all weapons presented for registration into eTrace in hopes of greatly reducing the common practice of locally registering, and thus legitimating, arms smuggled into to Guatemala from the United States. A statute of Guatemala's current gun law, which is unfortunately included in the new draft gun law now before Congress, enables those in possession of unregistered weapons to register them by simply presenting an affidavit attesting that the weapon is a family heirloom passed down by a direct relative. This loophole makes no mention of the age or type of weapon that can be registered using this process, and DECAM currently has no effective method of contesting these affidavits. Barrientos hopes to use information obtained via eTrace to contest these bogus affidavits and seize the weapons in question. He believes that access to eTrace will finally provide his office with a tool to stop the local registration of black market weapons, which should eliminate one of the factors driving the trade. (NOTE: NAS believes that providing DECAM access to eTrace will complement plans to also assist DECAM with obtaining IBIS ballistic recognition equipment, that will increase Guatemala's ability to investigate high profile cases. END NOTE.) Barrientos points out that as DECAM is a dependency of the MOD, his office has no investigative authority beyond the limited scope of arms registration, but can share information with other Guatemalan agencies.

MFA Cautiously Optimistic  
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¶3. (SBU) PolMil Officer met with Elena Barrientos (no relation to Colonel Barrientos) in the MFA's legal office regarding the eTrace MOU. She agreed to make examining the MOU a top priority, but stated that as she would need to obtain clearance from both her office and the MOD's legal office she could not guarantee that the MOU would receive the necessary clearances by December 12. PolMil officer made the point that as the December 12 ceremony would include MOU signings with other SICA countries it would be a strong indication of Guatemala's commitment to SICA and increasing international cooperation if Guatemala could also sign the MOU at the event. She agreed that this would be a good QMOU at the event. She agreed that this would be a good outcome and promised to "fast track" the clearance process. Colonel Barrientos informed PolMil Officer that the MOD's legal department has already cleared on the MOU draft and that the Minister of Defense personally expressed his support for the eTrace program. PolMil Officer will follow up with Elena Barrientos and with members of the MOD's legal office to ensure that the clearance process stays on track.

#### Next Steps

¶4. (SBU) The way forward on the eTrace MOU with DECAM was greatly facilitated by a recent visit by members of ATF-Mexico, who effectively explained eTrace to DECAM officials. If DECAM makes good on its promise to enter all weapons presented for registration into eTrace it will provide a wealth of law enforcement information to U.S. officials, as well as serve to curb the high demand for black market weapons in Guatemala. DECAM, however, is not a law enforcement agency with the ability to investigate or prosecute crimes or criminal groups. Post believes that the National Police's Compilation, Analysis and Dissemination of Criminal Information Unit (CRADIC) should also be included in the program. Unlike DECAM, CRADIC does have responsibility for investigating criminal organizations, and could use the eTrace data to uncover linkages between seemingly isolated criminal acts and transnational criminal organizations. Post urges ATF to send a team to Guatemala to discuss eTrace with CRADIC leadership and the Ministry of Government, and to explore the possibility of including CRADIC in the eTrace system at some future date.

McFarland